

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

Michael J. McDowall,
Plaintiff

v.

Case No. 1:14-cv-780

Cole Distel, et al.,
Defendants

ORDER

This matter is before the Court on the Magistrate Judge's Report and Recommendation filed December 5, 2014 (Doc. 15).

Proper notice has been given to the parties under 28 U.S.C. § 636(b)(1)(C), including notice that the parties would waive further appeal if they failed to file objections to the Report and Recommendation in a timely manner. See United States v. Walters, 638 F.2d 947 (6th Cir. 1981). As of the date of this Order, no objections to the Magistrate Judge's Report and Recommendation have been filed.

Having reviewed this matter de novo pursuant to 28 U.S.C. § 636, we find the Magistrate Judge's Report and Recommendation correct.

Accordingly, it is **ORDERED** that the Report and Recommendation of the Magistrate Judge is hereby **ADOPTED** and plaintiff's claims against defendants Rogers, Butterbaugh, Phillip Crabtree, Brian Crabtree, Warden, and Cool are **DISMISSED**. Plaintiff shall serve a summons and a copy of the complaint on defendant Officer Distel.

Date: January 2, 2015

s/Sandra S. Beckwith
Sandra S. Beckwith, Senior Judge
United States District Court